

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

ROGER WALDNER,

Movant,

vs.

UNITED STATES OF AMERICA.

No. C10-1003-LRR
No. CR06-1019-LRR

ORDER

This matter appears before the court on Roger Waldner's motion to vacate, set aside or correct sentence (docket no. 1) and motion to supplement pleading (docket no. 3). Roger Waldner ("the movant") filed the former motion on February 10, 2010 and the latter motion on June 17, 2010.

As directed by the court, the government filed an answer (docket no. 6) on June 21, 2010. In response, the movant filed an untimely reply (docket no. 11) on August 10, 2010. Having conducted its preliminary consideration of the movant's § 2255 motion pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings, the court directs the government and the movant to respond in the following manner:

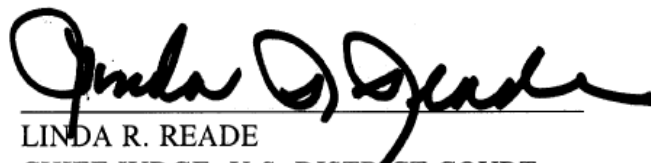
1. The government is directed to file a brief in response to the movant's § 2255 motion on or before February 28, 2011. The government may attach relevant exhibits to its brief.

2. If he so chooses, the movant is directed to file a brief in reply to the government's response on or before March 14, 2011.

With respect to the movant's motion to supplement pleading, the movant merely desires to include a definition of the word "affiliated." Accordingly, the motion to supplement pleading (docket no. 3) is granted.

IT IS SO ORDERED.

DATED this 10th day of January, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA